

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA            )  
  )  
v.    )     NO. 2:01-CR-62  
  )  
NOE MORALES-ESTRADA                )

**ORDER**

This criminal matter is before the Court to consider the Motion for Trial Transcripts and Discovery filed by the defendant. However, federal prisoners are not entitled to obtain a transcript of testimony at trial at government expense for the purpose of preparing a motion to vacate where there was no motion to vacate sentence pending. *United States v. MacCollom*, 426 U.S. 317, 328 (1976) (plurality opinion); see also *Hoover v. United States*, 416 F.2d 431 (6th Cir.1969) (per curiam); *Corrigan v. Thoms*, 2003 WL 343247, \*2, 55 Fed.Appx. 754, 756 (6th Cir.(Ky.)); *Ketcherside v. United States*, 317 F.2d 807, 808 (6th Cir.1963).

This defendant has no motion to vacate pending. Therefore, the defendant is not entitled to obtain transcripts and documents at government

expense. Accordingly, the defendant's Motion for Trial Transcripts and Discovery is **DENIED**. [Doc. 290].

ENTER:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE